

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 22-cr-320 (DWF/TNL)

Plaintiff,

v.

ORDER

Kevin Demetri Blocker,

Defendant.

This matter comes before the Court on Defendant Kevin Demetri Blocker’s Motion for Extension of Time to File Motions, ECF No. 18, and amended Motion for Extension of Time to File Motions, ECF No. 19. Defendant has also filed a Statement of Defendant in Support of Motion for Extension, ECF No. 20. Defendant states that his “counsel did not receive discovery (provided in digital format, comprising nearly 8GB of material) until November 30, 2022,” and “[p]rinting the non-audio/video material for ease of review has required significant time and work by [defense] counsel’s staff.” ECF No. 19 at 1. Defendant, who is currently detained, has also “not yet received [his] own copy of printed discovery material to review” and “[r]eview of non-printable, [audiovisual] material will require the presence of [defense counsel] with a laptop/portable computing device.” ECF No. 20 ¶ 4. Defendant requests that the motions filing deadline be extended to February 13, 2023. By e-mail correspondence, the Government indicated it has no objection to the requested extension.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide the parties and their respective counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Extension of Time to File Motions, ECF No. 18, is **DENIED WITHOUT PREJUDICE**.

2. Defendant's amended Motion for Extension of Time to File Motions, ECF No. 19, is **GRANTED**.

3. The period of time from **December 14, 2022 through March 6, 2023**, shall be excluded from Speedy Trial Act computations in this case.

4. **The parties must disclose the identity of any expert witness and make all expert disclosures required by Federal Rule of Criminal Procedure 16 no later than 28 days before trial. The parties must disclose the identity of any expert who will testify in rebuttal of an expert witness and make all disclosures as to such expert required by Federal Rule of Criminal Procedure 16 no later than 14 days before trial.**

5. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **February 13, 2023**.

D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Leung.

6. Counsel shall electronically file a letter on or before **February 13, 2023**, if no motions will be filed and there is no need for hearing.

7. All responses to motions shall be filed by **February 27, 2023**. D. Minn. LR 12.1(c)(2).

8. Any Notice of Intent to Call Witnesses shall be filed by **February 27, 2023**. D. Minn. LR 12.1(c)(3)(A).

9. Any Responsive Notice of Intent to Call Witnesses shall be filed by **March 2, 2023**. D. Minn. LR 12.1(c)(3)(B).

10. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

11. Except as otherwise set forth herein, the motions hearing, if required, shall take place before the undersigned on **March 6, 2023, at 1:00 p.m.**, in Courtroom 9W, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota. D. Minn. LR 12.1(d).

12. **TRIAL:**

- a. **IF NO PRETRIAL MOTIONS ARE FILED BY A DEFENDANT, the following trial and trial-related dates are:**

All voir dire questions and jury instructions must be submitted to District Judge Donovan W. Frank on or before **March 31, 2023**.

This case must commence trial on **April 10, 2023**, at **9:00 a.m.** before Judge Frank in Courtroom 7C, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

- b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for Judge Frank to confirm the new trial date.**

Dated: January 4, 2023

s/ Tony N. Leung
TONY N. LEUNG
United States Magistrate Judge
District of Minnesota

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